

REMARKS

Claims 2-10 are pending in the present application. Claim 2 is herein amended. New claim 10 is herein added. No new matter has been presented.

Support for newly amended claim 2 may be found in the specification as-originally filed, for example see pages 11, 12, 14, 15, 18 and 19.

Support for newly added claim 10 may be found in the specification as-originally filed, for example see pages 18 and 19.

Rejection under 35 U.S.C. §103(a)

Claims 2-9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto et al. (WO-03/11978) (hereinafter Okamoto). Applicants respectfully traverse this rejection.

The conventional composition comprising a polyoxyalkylene polymer, containing a reactive silicone group, has a problem with the surface tackiness, which is inherent in a polyoxyalkylene polymer. If an amine compound is added thereto, in a case of using a tetravalent organo-tin condensation catalyst, which is excellent in curability and storage stability, the surface tackiness may be improved but other problems arise, such as problems in mechanical strength and adhesion to the substrate. Furthermore, if the amount thereof is increased, the time for disappearance of tackiness is shortened but a large amount of a white powder, *i.e.* carbonates, is separated out on the surface of the cured product, which impairs appearance.

The inventors of the presently claimed composition discovered that further compounding an epoxy compound can solve these problems in the case of a curable composition comprising a tetravalent organo-tin condensation catalyst. Namely, the presently claimed composition uses an

epoxy resin and a curing agent for an epoxy resin containing a tertiary amine in the composition containing a primary or secondary amine and a tetravalent organo-tin condensation catalyst.

The unexpected effects of the presently claimed composition can be seen in the disclosed examples in the present specification. In Comparative Examples 1, 6, and 7, there is no amine compound present. In Comparative Example 5, the amount of amine compound is small, and in Comparative Example 2, the melting point of the amine compound is low. Comparative Examples 1, 2, and 5-7 all possess poor surface tackiness. In Comparative Examples 3 and 4, wherein an epoxy compound is not contained, the surface tackiness is good, but the amine compound is separated out and the appearance of the curable composition is poor.

However, if the epoxy compound is used together with an amine compound, the result is good surface tackiness and good appearance of the curable composition.

Okamoto discloses a composition with improved curability, restoring property, high strength, and high elongation at break by containing metal carboxylate salts and amines. However, the composition of Okamoto comprises a non-organo-tin catalyst as an essential component. One of ordinary skill in the art at the time of invention would not have considered it obvious to substitute the essential non-organo-tin catalyst of Okamoto with an organo-tin catalyst, which is a feature of the presently claimed composition.

Okamoto discloses in Examples 1-4 working examples containing the epoxy resin. See Okamoto, Table 1. In Examples 1-4, the curing component is not a polyoxyalkylene polymer but an isobutylene polymer, and the curing catalyst is a non-organo-tin catalyst. The isobutylene polymer has a problem in storage stability, which is inherent to the isobutylene polymer. See the

English translation of JP-A-H10-87957, which was submitted in the Information Disclosure Statement filed on September 23, 2009. In order to solve the stability problem of an isobutylene polymer, an epoxy compound is added only to the isobutylene polymer compositions. Actually, both EP505S and Epikote 828 are contained in the same main agent in these examples. One of ordinary skill in the art at the time of invention would have no reason for adding an epoxy compound to a composition comprising a polyoxyalkylene polymer, which does not have a stability problem. This is a reason why the epoxy compound is not contained in the composition comprising a polyoxyalkylene polymer in Okamoto.

Applicants achieve unexpected results over the disclosure of Okamoto. Comparative Example 5, disclosed in the present specification, most closely corresponds to the closest composition disclosed in Table 1 of Okamoto, except Applicants' Comparative Example 5 uses polyoxyalkylene polymer instead of an isobutylene polymer and uses an organo-tin catalyst instead of a non-organo-tin catalyst. Thus, Applicants' Comparative Example 5 is even closer in scope to the presently claimed composition than the disclosed examples of Okamoto. As can be clearly seen in Applicants' specification, the time for losing tackiness in Comparative Example 5 is more than 210 minutes, even if an organo-tin catalyst, which is excellent in curability, is used. This is twelve times longer than Applicants' Example 4.

Therefore, the presently claimed composition is unobvious from the disclosure of Okamoto. One of ordinary skill in the art at the time of invention would not achieve the presently claimed composition from the disclosure of Okamoto. Furthermore, the presently claimed composition achieves unexpected results over Okamoto.

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Art Unit: 1796

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Favorable reconsideration is earnestly solicited.

In view of the above, Applicants respectfully submit that their claimed invention is allowable and ask that the rejection under 35 U.S.C. §103 be reconsidered and withdrawn. Applicants respectfully submit that this case is in condition for allowance and allowance is respectfully solicited.

If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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